

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NOS. 3:10-CV-149-FDW-DCK
3:10-CV-503-FDW-DCK**

TROPICAL NUT & FRUIT CO.,)	
)	
Plaintiff,)	
)	
v.)	ORDER
)	
CREATIVE SNACKS CO., LLC)	
and MARIUS ANDERSEN,)	
)	
Defendants.)	

THIS MATTER is before the Court following a conference call with the parties to discuss consolidation of the two matters (3:10-cv-149; 3:10-cv-503) and modification of the Case Management Order (Doc. No. 24) on October 20, 2010. For the purposes of judicial efficiency and other reasons discussed with the parties during the conference, the Court ORDERS that the two matters (3:10-cv-149; 3:10-cv-503) be consolidated into the earlier-filed case 3:10-cv-149. All previously entered orders in 3:10-cv-149 shall govern this case (including this Court's standing orders), and counsel should review those accordingly.

Also, as discussed in the conference, the Pretrial Order and Case Management Plan (Doc. No. 24) shall also be modified to reflect the following new deadlines (all other portions, including the substantive portions, dispositive motion hearing, final pretrial conference, trial setting dates contained therein shall remain the same):

Expert Reports:

Party w/ Burden of Proof	December 17, 2010
Opposition	January 14, 2011
Rebuttal	January 28, 2011
Discovery Completion:	February 11, 2011
ADR:	February 25, 2011
Dispositive Motions (filed):	March 4, 2011

IT IS SO ORDERED.

Signed: November 9, 2010



Frank D. Whitney
United States District Judge
